

THE

JAMMU AND KASHMIR OFFICIAL GAZETTE

PART I—B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECRETARIATÔ HOME DEPARTMENT

Notification

Srinagar, the 16th July, 2020.

SO-222.66Whereas, on 01-3-2020, Police Station, Magam received an information that during cordon and search operation in village Nagerpora two persons namely, Mir Muzamil Nabi S/o Ghulam Nabi Mir R/o Nangerpora and Umer Aijaz Ahanger S/o Abdul Samad Ahanger R/o Batapora were apprehended; and

- 2. Whileas, during their personal search one INSAS Magazine, 17 rounds of INSAS rifle, 02 rubber stamps named as Mir Muzamil and Gazi Mir Muzamil, 01 Pouch and some posters of Ansar Gazwatul Hind were recovered from their possession; and
- 3. Whereas, a Case FIR No. 28/2020 18-B Unlawful Activities (Prevention) Act 1967, came to be registered in Police Station, Magam and investigation was taken up; and
- 4. Whereas, during the course of investigation site plan of place of occurrence and recovered arms/ ammunition were prepared. Statement of witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law; and
- 5. Whereas, during the investigation it was revealed that the accused Mir Muzamil Nabi along with his associates namely, Umer Aijaz Ahanger S/o Ab. Samad Ahanger R/o Batapora, (2) Rouf Ahmad Bhat S/o Gh. Rasool Bhat R/o Kanthbagh and (3) Ishfaq Ahmad Bhat S/o Gh. Qadir Bhat R/o Kanthbagh, Magam were motivating the youth of the area to join terrorist outfit of Ansar Gazwatul Hind; and
- 6. Whereas, during investigation the accused Rouf Ahmad Bhat and Ishfaq Ahmad Bhat were arrested in the case and on their disclosure incriminating material was recovered from their residential houses; and
- 7. Whereas, during further investigation it was established that all the four accused persons provided the incriminating material to various persons including prosecution witnesses to motivate them for joining the terrorist outfit Ansar Gazwatul Hind; and
- 8. Whereas, on the basis of investigation, statement of witnesses recorded and other evidence collected, the investigating officer has established *prima facie* case against the below mentioned accused persons for commission of offences punishable under section 18-B of Unlawful Activities (Prevention) Act, 1967:ô

- Umer Aijaz Ahanger S/o Abdul Samad Ahanger R/o Batapora
- ULA (P) Act

18-B

- 3. Rouf Ahmad Bhat S/o Gh. Qadir Bhat R/o Kanthbagh
- 4. Ishfaq Ahmad Bhat S/o Gh. Qadir Bhat R/o Kanthbagh
- 9. Whereas, the Authority appointed by the Government under subsection (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently examined the case diary file and all the other relevant documents relating to the case and has come to the conclusion that *prima facie* case is made out against the above accused; and
- 10. Whereas, after perusing the Case Diary File, the relevant documents and also taking into consideration the views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned accused for their prosecution under the provisions of law.

Now, therefore, in exercise of powers conferred by sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accords sanction for launching prosecution against the above mentioned accused for the commission of offence under section 18-B of Unlawful Activities (Prevention) Act, 1967 in the case FIR No. 28/2020 of Police Station, Magam.

By order of the Government of Jammu and Kashmir.

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Principal Secretary to Government, Home Department.